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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,989	12/06/2001	Raymond Walden Bennett III	SBC 0110 PA	1221

7590 11/09/2005

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EXAMINER
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RAMAKRISHNAIAH, MELUR

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 11/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/017,989	<b>Applicant(s)</b> BENNETT ET AL.	
	<b>Examiner</b> Melur Ramakrishnaiah	<b>Art Unit</b> 2643	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 September 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11,12,18,19 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11,12,18,19 and 21-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement:

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Humphries et al. (US PAT: 5,621,662, hereinafter Humphries) in view of Kilby (US PAT: 3,793,487) and Launey et al. (US PAT: 5,086,385, hereinafter Launey)

Regarding claim 11, Humphries discloses the following: placing the security controller in night mode to generate security controller state (fig. 14A, col. 13 line, 53 – col. 14, line 44), communicating the security controller state to the call management controller (20, fig. 3) so as to place it in night privacy state (col. 6 lines 38-45, col. 8 lines 48-54; col. 14 lines 39-43).

Humphries differs from the claimed invention in that he does not teach the following: utilizing voice processing system having speech recognition functionality to process a verbal command from a user to set the night mode; in response to an incoming phone call, prompting the incoming caller to leave message or ring through for an emergency, transferring the caller to a voice mail box unless the call is emergency call, and allowing the caller to ring through to a telephone set if the call is an emergency

However, Launey teaches the following: utilizing voice processing system having speech recognition functionality to process a verbal command from a user to set the mode ( abstract, col. 3 lines 24-28); Kilby discloses system for screening calls which

Art Unit: 2643

teaches the following: in response to an incoming phone call, prompting the incoming caller to leave message or ring through for an emergency, transferring the caller to a voice mail box unless the call is emergency call, and allowing the caller to ring through to a telephone set if the call is an emergency (abstract and col. 11 lines 4-8).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Humphries' system to provide for the following: : utilizing voice processing system having speech recognition functionality to process a verbal command from a user to set the night mode as this arrangement would provide one of the methods, among many possible methods, to control security system components as taught by Launey; in response to an incoming phone call, prompting the incoming caller to leave message or ring through for an emergency, transferring the caller to a voice mail box unless the call is emergency call, and allowing the caller to ring through to a telephone set if the call is an emergency as this arrangement would facilitate to meet users' personal needs for receiving the telephone calls while user does not wish to be disturbed as taught by Kilby .

3. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Humphries in view of Kilby and Launcy as applied to claim 11 above, and further in view of Smith (US PAT: 5,166,972)..

The combination differs from claim 12 in that it does not teach the following: the step of allowing the caller to ring through a telephone set specifically comprises the step of distinctively ringing the telephone set to denote emergency.

Art Unit: 2643

However, Smith discloses Group emergency call system which teaches the following: distinctively ringing the phone to denote emergency (col. 3 lines 30-38).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Humphries' system to provide for the following: the step of allowing the caller to ring through a telephone set specifically comprises the step of distinctively ringing the telephone set to denote emergency as this arrangement would facilitate to discriminate between normal calls to their homes and an emergency call as taught by Smith.

4. Claims 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meier et al. (US PAT: 5,596,633, hereinafter Meier) in view of Launey.

Regarding claim 21, Meier discloses a security system with call management functionality coupled to a telephone network for providing at least one telephone service, the telephone network having at least one telephone line, the security system comprising: a call management controller (reads on 5, fig. 1) coupled to the telephone network for enabling, disabling or modifying each the telephone service (figs. 1-2, col. 2, line 28- col. 3, line 31, col. 4 lines 6-9), a security controller (reads on 23, fig. 1) coupled to the call management controller, to plurality of sensors (for example 29, fig. 1) coupled to the security controller coupled for providing home security function (col. 4 lines 10-25), wherein the telephone service comprises at least one night mode privacy, automated attendant, follow me service, voice mail delivery (col. 3 lines 20-31, col. 4 lines 6-21).

Regarding claim 22, Meier discloses a method of providing call management functionality for a security system coupled to a telephone network, the security system including, a call management controller and security controller, the method comprising the steps of: providing at least one of telephone service wherein at least one telephone service comprises at least one service selected from the group consisting of night mode privacy, automated attendant, follow me service, voice mail delivery, etc (figs. 1-2, col. 3 lines 20-31, lines 49-54, col. 4 lines 6-9).

Meter differs from claims 21-22 in that he does not teach the following: a voice processing system coupled to the security controller and having voice recognition functionality for processing verbal commands from a user so as to operate the security system mode.

However, Launey teaches the following: a voice processing system coupled to the security controller and having voice recognition functionality for processing verbal commands from a user so as to operate the security system (abstract, col. 3 lines 24-27 and fig. 1).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Humphries' system to provide for the following: a voice processing system coupled to the security controller and having voice recognition functionality for processing verbal commands from a user so as to operate the security system as this arrangement would provide one of the methods, among many possible methods, to control security system components as taught by Launey.

Art Unit: 2643

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meier in view of Launey as applied to claim 22 above, and further in view of Dean et al. (US PAT: 5,901,211, hereinafter Dean).

The combination differs from claim 18 in that he does not teach the following: monitoring at least two locations to determine user location based upon the user identity, and transferring a caller to the user location.

However, Dean discloses system and method for automatically transferring calls or allowing access which teaches the following: monitoring at least two locations (for example in the hotel room or outside the hotel room) to determine user location based upon the user identity, and transferring a caller to the user location (col. 2 lines 54-58).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: monitoring at least two locations to determine user location based upon the user identity, and transferring a caller to the user location as this arrangement would enable the user to receive calls wherever he is located between two locations as taught by Dean, thus enhancing user convenience.

6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meier in view of Launey as applied to claim 22 above, and further in view of Borg et al. (US PAT: 4,578,540).

Regarding claim 19, the combination does not teach the following: step of providing service includes providing kid control, further comprising the step of restricting outbound calls based on user identity.

However, Borg discloses telecommunication systems which teaches the following: step of providing service includes providing call control, further comprising the step of restricting outbound calls based on user identity (col. 2, lines 19-29).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: step of providing service includes providing kid control, further comprising the step of restricting outbound calls based on user identity as this arrangement would provide a system to prevent misuse of telephone system by users as taught by Borg, thus exercising control over telephone usage.

7. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meier in view of Launey as applied to claim 22 above, and further in view of Eisdorfer et al. (US PAT: 5,724,411, hereinafter Eisdorfer).

Regarding claim 23, the combination does not teach following: associating a phone line (19, fig. 1) to correspond to the user identity, determining user presence based upon the user identity allowing the caller to ring through to a telephone set if user presence is detected and telephone set is not being used, transferring the caller to a voice mail box that corresponds to the user identity if the user presence is not detected (col. 2, line 39-col. 3, line 17 of '633); but he does not teach the following: generating distinctive call waiting signal to denote which user is being is called and telephone set is being used

However, Eisdorfer discloses the following: distinctive ringing signal to denote which user is being is called and telephone set is being used (col. Lines 43-48).



Art Unit: 2643

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Meier's system to provide for the following: distinctive ringing signal to denote which user is being called and telephone set is being used as this would provide means for alerting the particular recipient to receive the call as taught by Eisdorfer.

***Response to Arguments***

8. Applicant's arguments with respect to claims 11-12, 18-19, 21-23 have been considered but are moot in view of the new ground(s) of rejection.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2643

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Melur Ramakrishnaiah  
Primary Examiner  
Art Unit 2643